

REMARKS

Applicant respectfully requests reconsideration of this application in view of the following remarks and the above amendments. This response is believed to fully address all issues raised in the Office Action mailed March 2, 2010. Furthermore, no new matter is believed to have been introduced hereby.

Claims 1, 3-5, 7-18, 20-30, 32-35, 37-39, and 41-48 remain pending as amended above. Claims 2, 6, 19, 31, 36, and 40 have been canceled without prejudice or disclaimer.

Initially, rejection of claims 5, 10-17, and 42-48 under 35 USC § 112 are believed to be moot in light of the above detailed amendments to these claims in accordance with Examiner's suggestions.

Also, the rejection of claims 1, 3, 7, 9 and 35-48 under 35 USC § 101 are believed to be moot in light of the above detailed amendments to claims 1 (which not includes the language of claim 2 indicated by the Examiner as being statutory), 35, and 42 in accordance with Examiner's suggestions.

35 USC §§102 and 103 Rejection of the Claims

Claims 18, 20, 21 and 22 were rejected under 35 USC § 102(e) as being anticipated by Kadambi et al. (U.S. Patent No. 6707817). Claims 23-28 were rejected under 35 USC § 102(e) as being anticipated by Sindhu et al. (U.S. Patent No. 5905725).

Claims 1, 3, 7, 8, 9, 30, 33, 34, 35 and 41 were rejected under 35 USC § 103(a) as being unpatentable over Kadambi et al. (U.S. Patent No. 6,707,817) in further view of Chin et al. (U.S. Publication No. 20060221945). Claims 2, 31, 36, and 37 were rejected under 35 USC § 103(a) as being unpatentable over Kadambi et al. (U.S. Patent No. 6,707,817) in further view of Chin et al. (U.S. Publication No. 2006/0221945 A1) in further view of Sindhu et al. (U.S. Patent No. 5,905,725). Claims 4, 5, 38, and 39 were rejected under 35 USC § 103(a) as being unpatentable over Kadambi et al. (U.S. Patent No. 6,707,817) in further view of Chin et al. (U.S. Publication No. 2006/0221945 A1) in further view of Sindhu et al. (U.S. Patent No. 5,905,725) in further view of Mullendore et al. (U.S. Patent No. 7227841). Claim 32 was rejected under 35 USC § 103(a) as being unpatentable over Kadambi et al. (U.S. Patent No. 6,707,817) in further view of Chin et al. (U.S. Publication No. 2006/0221945 A1) in further view of Mullendore et al. (U.S. Patent No. 7,227,841). Claim 19 was rejected under 35 USC § 103(a) as being unpatentable over Kadambi et al. (U.S. Patent No. 6,707,817) in further view of Sindhu et al. (U.S. Patent No. 5,905,725). Claims 10-17 and 42-48 were rejected under 35 USC § 103(a) as being unpatentable over Sindhu et al. (U.S. Patent No. 5,905,725) in further view of Raad (U.S. Publication No. 20050050289

A1). Claim 29 was rejected under 35 USC § 103(a) as being unpatentable over Sindhu et al. (U.S. Patent No. 5,905,725) in further view of Kokubo et al. (U.S. Patent No. 5,486,717).

Initially, each of these rejections is respectfully traversed as the cited art, alone or in combination, fails to teach or even suggest the claimed combination of features such as set forth in any of the pending claims.

Without limiting the scope of embodiments of the invention, only in an effort to impart precision to the claims (e.g., by more particularly pointing out embodiments of the invention, rather than to avoid prior art), and merely to expedite the prosecution of the present application, Applicant has amended independent claim 1 to in part recite the allowable language of claim 6 (including claim 2). Claim 35 has been similarly amended to include the allowable language of claim 40 (as well as claim 36).

It is respectfully submitted that the cited art, alone or in combination, fails to teach (or even suggest) the claimed combination of features such as set forth in claim 1, including for example, the at least portion of received content is to be distributed across a plurality of non-contiguous locations within the at least one memory channel if the at least portion of received content exceeds the capacity of a single contiguous location within the at least one memory channel to meet the throughput and based, at least in part, on whether a packet meta data can be distributed in a way to meet the throughput. Accordingly, claim 1 is believed to be in condition for allowance.

The remaining independent claims recite similar (though not identical) language as claim 1 and have been rejected for similar reasons as claim 1. Hence, these remaining independent claims should be allowable for at least similar reasons as claim 1, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

Also, all pending dependent claims should be allowable for at least similar reasons as their respective independent claims, as well as additional or alternative elements that are recited therein but not shown in the cited prior art.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (303-800-6678) to facilitate prosecution of this application.

Applicant hereby petitions, as well as includes the appropriate fee herewith, to obtain a one-month extension of the period for responding to the Office action, thereby moving the deadline for response from June 2, 2010 to July 2, 2010.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4238.

Respectfully submitted,

CUSTOMER NUMBER: 50890

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Date 7/2/10

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